

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA

KEVIN HAND,

Plaintiff,

v.

SHANNON SMITH,  
Seminole County Sheriff,

Defendant.

No. 23-CV-133-RAW-GLJ

**OPINION AND ORDER**


Plaintiff Kevin Hand is a pro se pretrial detainee who is incarcerated at the Seminole County Jail in Wewoka, Oklahoma. On April 21, 2023, a civil rights complaint pursuant to 42 U.S.C. § 1983 was filed in Hand's name against Seminole County Sheriff Shannon Smith, seeking monetary and injunctive relief for alleged constitutional violations at the jail. (Dkt. 1). Also on April 21, 2023, the Court directed Hand to submit a Statement of Institutional Accounts. (Dkt. 4).

On May 1, 2023, Hand filed a "Voluntary Statement," alleging he had not filed the complaint in this matter and that his signature was forged. (Dkt. 5). The statement is not notarized, but it was witnessed by Inmate Jeff Hope. *Id.* Hand asserts in his statement that Inmate David McDermott had informed him that McDermott had forged papers in Hand's name and sent them to the federal court. *Id.* Hand maintains he did not file anything in the Court. *Id.*<sup>1</sup>

After careful review, the Court finds this action should be dismissed, because Hand alleges he did not file it.

**ACCORDINGLY**, this action is **DISMISSED** pursuant to 28 U.S.C. § 1915A.

**IT IS SO ORDERED** this 8<sup>th</sup> day of May 2023.

  
Ronald A. White  
United States District Judge  
Eastern District of Oklahoma

---

<sup>1</sup> Seminole County Inmate Jeffery Hope alleges in *Hope v. Smith*, No. 23-CV-132-JFH-GLJ (E.D. Okla. May 1, 2023) that McDermott also forged the complaint in that case.